REMARKS

By this Amendment, Applicant amends claims 1, 8 and 15, adds new claims 25-30 and cancels claims 6, 13 and 18 without prejudice or disclaimer. Accordingly, claims 1, 6-8, 13-15, 18-22 and 24-27 are all the claims pending in the application. Reconsideration and allowance of the claims are respectfully requested. New claims are at least supported by 20 and 21 of the specification. No new matter is added.

Rejection Under 35 U.S.C. §103

Claims 1, 6-8, 13-15, 18-22 and 24 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Yousefi'zadeh, (U.S. Patent No. 6,950,848; hereinafter "Yousefi'zadeh") in view of Guenther et al, (U.S. Patent No. 6,134,588; hereinafter "Guenther"), in further view of Albert et al., (U.S. Patent No. 6,549,516; hereinafter "Albert").

Applicant traverses the rejection as follows.

Amended independent claims 1, recites, *inter alia*, "wherein <u>the at least one port module receives the subsequent request after the data source was detected to be unavailable in response to the initial request for the data source, determines that the data source was previously unavailable</u>, and reestablishes a connection with <u>the data source independent of re-initialization by the connection manager</u>, and reconnects the remote application to the data source by directly communicating with the remote application." Independent claims 8 and 15 recite features similar to claim 1.

In page 4 of the Office Action, the Examiner acknowledges that Yousefi'zadeh is silent about detecting the availability of data source in a subsequent request, but relies of Guenthner for disclosing these features. Applicant respectfully submits that Guenthner does not teach or suggest these features of the independent claims for at least the following reasons.

For instance, in column 9, lines 16-35, Guenthner discloses that the browser should detect the failure to reply by a server and attempt to connect to another address in a list. Further, Guenthner discloses that a client retries entries in the list that were marked "Bad" at fairly frequent intervals to resume using primary servers. However, there is no teaching or suggestion of the at least one port module receives the subsequent request after the data source was detected to be unavailable in response to the initial request for the data source, determines that the data source was previously unavailable, and reestablishes a connection with the data source independent of re-initialization by the connection manager.

That is, a client (or a browser) retrying entries in a list for resuming connection with a primary server does not teach or suggest a port module receiving the subsequent request after the data source was detected to be unavailable in response to the initial request for the data source, and determining that the data source was previously unavailable.

Yousefi'zadeh and Albert do not teach or suggest these features of the claims.

Furthermore, Applicant submit that column 9, lines 32-35 does not teach or suggest reestablishing a connection with the data source independent of re-initialization by the connection manager. In page 6 of the final Office Action, the Examiner contends that because "the name server does need to be initialized in order to reconnect the client to the server", Guenthner discloses reestablishing a connection with the data source independent of re-initialization by the connection manager. Applicant respectfully disagree at least because the name server 42 is not a connection manager as recited in the claimed invention. Therefore, Guenthner does not teach or suggest the claimed features.

In view of the above, Applicant respectfully submits that claims 1, 8 and 15 are patentable over the cited combination of references.

Claims 7, 14, 22 and 24 that depend from claims 1, 8 and 15 are patentable over the cited combination of references at least by virtue of their dependency and the additional features recited therein.

New claims

Applicant submits that new claims 25-27 depend from one of claims 1, 8 and 15, and therefore these claims are patentable at least by virtue of their dependency, and because the cited references do not teach or suggest the features recited therein.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ebenesar D. Thomas/

SUGHRUE MION, PLLC
Telephone: 202.293.7060
Facsimile: 202.293.7860

Ebenesar D. Thomas
Registration No. 62,499

WASHINGTON DC SUGHRUE/142133

46159
CUSTOMER NUMBER

Date: March 27, 2013